

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES OLIVER

v.

GERALD ROZUM, ET AL.

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CIVIL ACTION

NO. 12-318

**ORDER**

**AND NOW**, this 25th day of February, 2013, upon careful and independent consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 (Docket No. 1), and after review of United States Magistrate Judge Lynne A Sitarski's Report and Recommendation (Docket No. 17), to which Petitioner has filed no Objections, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Sitarski is **APPROVED** and **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 is **DISMISSED**.
3. Because Petitioner has failed to make a substantial showing of the denial of a constitutional right or to demonstrate that a reasonable jurist would debate the correctness of this ruling, the Court declines to issue a certificate of appealability under 28 U.S.C. § 2253(c)(2).
4. The Clerk shall **CLOSE** this case statistically.

BY THE COURT:

/s/ John R. Padova, J.

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John R. Padova, J.